

United States District Court
Western New York

James A. Diaz (Dell)

v.

19-cv-1336

Byron Brown et. als

urgent motion submitting exhibits from 1 to 26,
requesting an urgent jury trial date against all
defendants, reminding the defendants and the
Court that Mr. Vitardo, Mrs. Facetti and Mrs. Brittany
Jones are persons recused by the plaintiff under
and for justified reasons in law.

To the Honorable Court:

Appears Mr. James A. Diaz (Dell) in its own right
who subscribes and very respectfully, exposes,
alleges and requests.

1. exhibits from 1 to 26 are submitted urgently

2. Mr. Jaime A. Diaz Ortiz appears requesting an urgent trial date against all defendants.
3. Reminding the defendants and the court, and the clerk's office and employees that Mr. Vilardo, Mrs. Foschetti and Mrs. Brittany Jones are persons removed by the plaintiff under and for justified reasons in law.
4. The request for trial against all defendants is before a jury.

for all of which,

Take the Court judicial knowledge of this writing, transfer the case to the Southern District of New York for the purpose of randomly assigning there in that court a new judge to see the trial against all the defendants by Jury.

Respectfully submitted

Jaime A. Diaz Ortiz

P.O. Box 9793

San Juan, PR 00908

James Diaz Del Valle @ ymail.com
787-447-2424

30 of September of 2021

Certificate of Service

James Diaz Del Valle

↓.

19-cv-1336

Byron Brown et als

I, James Diaz Del Valle, hereby certify under penalty of perjury that on 30 of September of 2021 I served copies of urgent Motion Submitting exhibits from 1 to 26 requesting an personal jury trial date against all defendants remaining the defendants and The Court that Mr. Vilardo, Mrs. Foschito, and Mrs. William Jones are persons recused by The Plaintiff under and for justified reasons in law, to the following parties:

Timothy A. Ballless, Mark e Huggins,
David M. Lee.

65 Niagara Square
Room 1100
Buffalo NY 14202
716-851-4317

James A. Dwyer
30 of September of 2021

exhibit 1



Original Court Information:
 District: 0104-3 3:17-cv-02340-WGY
 Ordering Judge: William G. Young, U.S. District Judge
 Date Filed: 12/04/2017
 Date Order/Judgment: 01/02/2019
 Date Order/Judgment EOD: 01/02/2019
 Date NDA Filed: 02/01/2019
 Date Rec'd COA: 02/14/2019
 Lead: 3:17-cv-02340-WGY

exhibit 2

- 05/13/2021 ☒ NOTICE of appearance on behalf of Appellees Departamento del Trabajo Y Recursos Humanos, Michelle Fraley, Junta de Relaciones del Trabajo de Puerto Rico, Norma Winsette Mendez-Silvagnoli, Pedro R. Pierluisi, Police Department of Puerto Rico and Carlos J. Saavedra-Gutierrez filed by Attorney Carlos Lugo-Fiol. Certificate of service dated 05/13/2021. [19-1167] (CL) [Entered: 05/13/2021 04:54 PM]
- 05/14/2021 ☒ STATUS report filed by Appellees Departamento del Trabajo Y Recursos Humanos, Michelle Fraley, Junta de Relaciones del Trabajo de Puerto Rico, Norma Winsette Mendez-Silvagnoli, Pedro R. Pierluisi, Police Department of Puerto Rico and Carlos J. Saavedra-Gutierrez. Certificate of service dated 05/14/2021. [19-1167] (CL) [Entered: 05/14/2021 02:36 PM]
- 05/14/2021 ☒ NOTICE of appearance on behalf of Appellees US and Joseph Robinette Biden, Jr. filed by Attorney Mariana E. Bauza-Almonte. Certificate of service dated 05/14/2021. [19-1167] (MEB) [Entered: 05/14/2021 04:54 PM]
- 05/14/2021 ☒ STATUS report filed by Appellees Joseph Robinette Biden, Jr. and US. Certificate of service dated 05/14/2021. [19-1167] (MEB) [Entered: 05/14/2021 04:56 PM]
- 08/18/2021 ☒ STATUS report filed by Appellee Pedro R. Pierluisi. Certificate of service dated 08/18/2021. [19-1167] (CL) [Entered: 08/18/2021 03:29 PM]
- 08/20/2021 ☒ MOTION for Attorney Diego Corral-Gonzalez to withdraw as counsel filed by Appellees Pedro Irene-Maymi and Union Independiente Autentica de la AAA. Certificate of service dated 08/20/2021. [19-1167] (DRC) [Entered: 08/20/2021 12:12 PM]
- 08/20/2021 ☒ MOTION for Attorney Harry Anduze-Montano to withdraw as counsel filed by Appellees Pedro Irene-Maymi and Union Independiente Autentica de la AAA. Certificate of service dated 08/20/2021. [19-1167] (HA) [Entered: 08/20/2021 03:54 PM]
- 08/24/2021 ☒ ORDER entered. Upon consideration of Attorney Harr Anduze Montano and Attorney Diego Corral-Gonzalez's motions to withdraw as counsel of record for defendants-appellees Pedro Irene-Maymi and Union Independiente Autentica de la AAA, said motions are denied without prejudice to renewal once successor counsel enters an appearance on behalf of these defendants-appellees. [19-1167] (GB) [Entered: 08/24/2021 09:32 AM]
- 08/24/2021 ☒ RENEWED MOTION to withdraw as counsel filed by Appellees Pedro Irene-Maymi and Union Independiente Autentica de la AAA. Certificate of service dated 08/24/2021. [19-1167] CLERK'S NOTE: Relief selection was incorrect. Correction made by clerk's office. No further action required. (DRC) [Entered: 08/24/2021 10:07 AM]
- 09/01/2021 ☒ ORDER entered. Attorneys Harry Anduze Montano and Diego Corral-Gonzalez have filed a renewed motion to withdraw as counsel on behalf of defendants-appellees Pedro Irene-Maymi and Union Independiente Autentica de la AAA. Because only individuals may proceed pro se, appellee Union Independiente Autentica de la AAA must retain new counsel to maintain this appeal. See Herrera Venegas v. Sanchez Rivera, 681 F.2d 41 (1st Cir. 1982) (lay person may only represent him or herself); In re Las Colinas Dev. Corp., 585 F.2d 7, 11-13 (1st Cir. 1978) (non-lawyer president and 94% stockholder not permitted to represent corporation). Therefore, the renewed motion to withdraw is granted in part as Pedro Irene-Maymi but is denied in part without prejudice to renewal once successor counsel enters an appearance on behalf of Union Independiente Autentica de la AAA. A copy of this order will be served on appellees' respective representatives. [19-1167] (GB) [Entered: 09/01/2021 07:40 PM]

PACER Service Center			
Transaction Receipt			
09/25/2021 19:45:27			
PACER Login:	jameacsoned	Client Code:	
Description:	Case Summary	Search Criteria:	19-1167

INTERNATIONAL BROTHERHOOD OF TEAMSTERS

Tel: 202.624.6847
Fax: 202.624.6884



braymond@teamster.org

BRADLEY T. RAYMOND
General Counsel

25 Louisiana Avenue, N.W. • Washington, D.C. • 20001



OK 11/5/21



exhibit 5

Mail body: Fwd: Falsifying Charges Judge Fiorella Western District of New York 20-3542 Jaime a diaz oneill v. Byron Brown et.als

Sent from my iPhone

Begin forwarded message:

From: Jaime A Diaz Oneill <jaimediazoneill@ymail.com>
Date: August 3, 2021 at 8:56:24 PM AST
To: domingo.ernanelli@justicia.pr.gov, joaldebol@justicia.pr.gov, equesada@justicia.pr.gov, archico@justicia.pr.gov, lisanchez@justicia.pr.gov, arperez@justicia.pr.gov, incarrau@justicia.pr.gov, yjuarbe@justicia.pr.gov, jborras@justicia.pr.gov, nigarcia@justicia.pr.gov, vcarbonell@justicia.pr.gov, bportela@justicia.pr.gov, mgierbolini@justicia.pr.gov, jcarrión@justicia.pr.gov, asuntoslegales@ramajudicial.pr, jaimediazoneill@ymail.com
Cc: jaimediazoneill@ymail.com
Subject: Falsifying Charges Judge Fiorella / Western District of New York 20-3542 Jaime a diaz oneill v. Byron Brown et.als

b6
b7c

Sent from my iPhone

Begin forwarded message:

From: Jaime A Diaz Oneill <jaimediazoneill@ymail.com>
Date: May 17, 2021 at 12:06:01 PM EDT
To: mhuggins@city-buffalo.com
Subject: Fwd: Falsifying Charges Judge Fiorella / Western District of New York 20-3542 Jaime a diaz oneill v. Byron Brown et.als

b6
b7c

Sent from my iPhone

Begin forwarded message:

From: Jaime A Diaz Oneill <jaimediazoneill@ymail.com>
Date: May 17, 2021 at 11:50:21 AM EDT
To: hr@baldorfood.com, henry@baldorfood.com, Michael@baldorfood.com, Kelby Vargas <kvargas@baldorfood.com>, k3byvargas@gmail.com
Subject: Fwd: Falsifying Charges Judge Fiorella Western District of New York 20-3542 Jaime a diaz oneill v. Byron Brown et.als

b6
b7c

Sent from my iPhone

Begin forwarded message:

OWA-3176

To: whmocarSKI@ntts.edu hKowalchuk@ntts.edu lucker@ntts.edu
county.executive@erie.gov mark@erie.gov dmpatton@bpdny.org sheriff@erie.gov
Cc: Jaime A Diaz Oneill <jaimediazoneill@gmail.com>
Subject: Falsifying Charges Judge Fiorella / Western District of New York 20-3542
Jaime a diaz oneill v. Byron Brown et.als

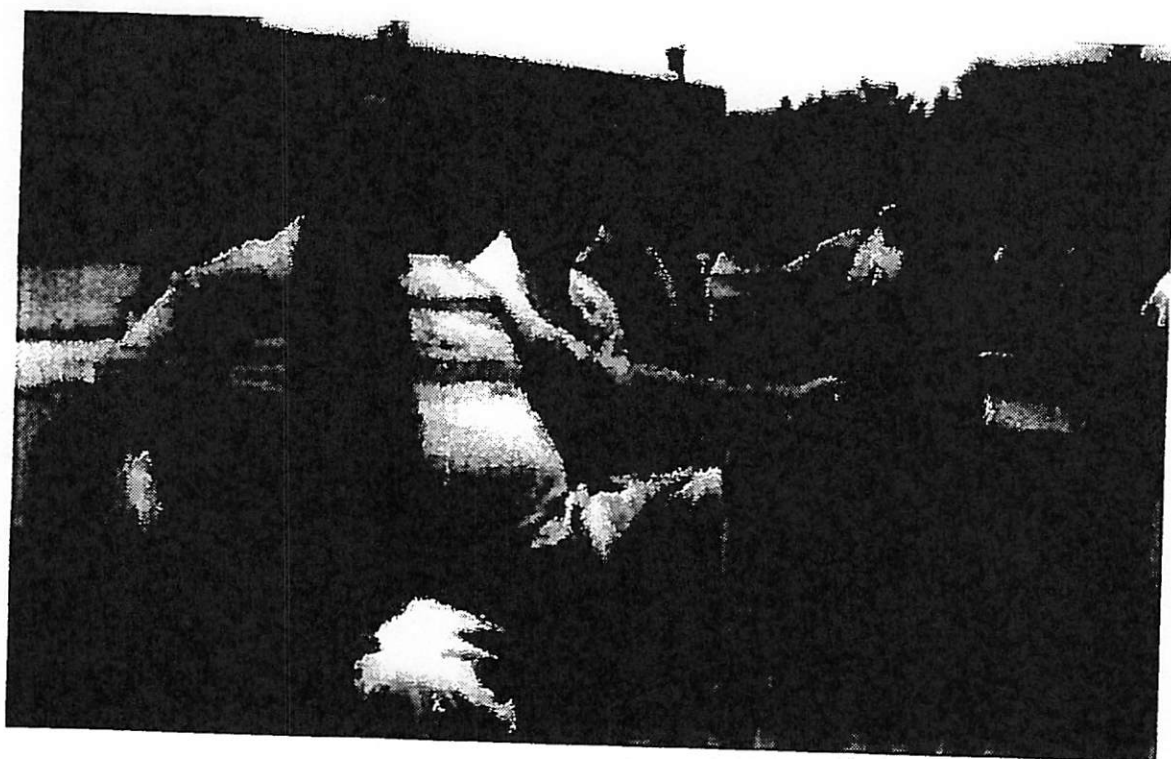
b6

Officer Joseph Hassett was indicted Wednesday on the same five misdemeanor charges he had pleaded innocent to in Buffalo City Court in September.

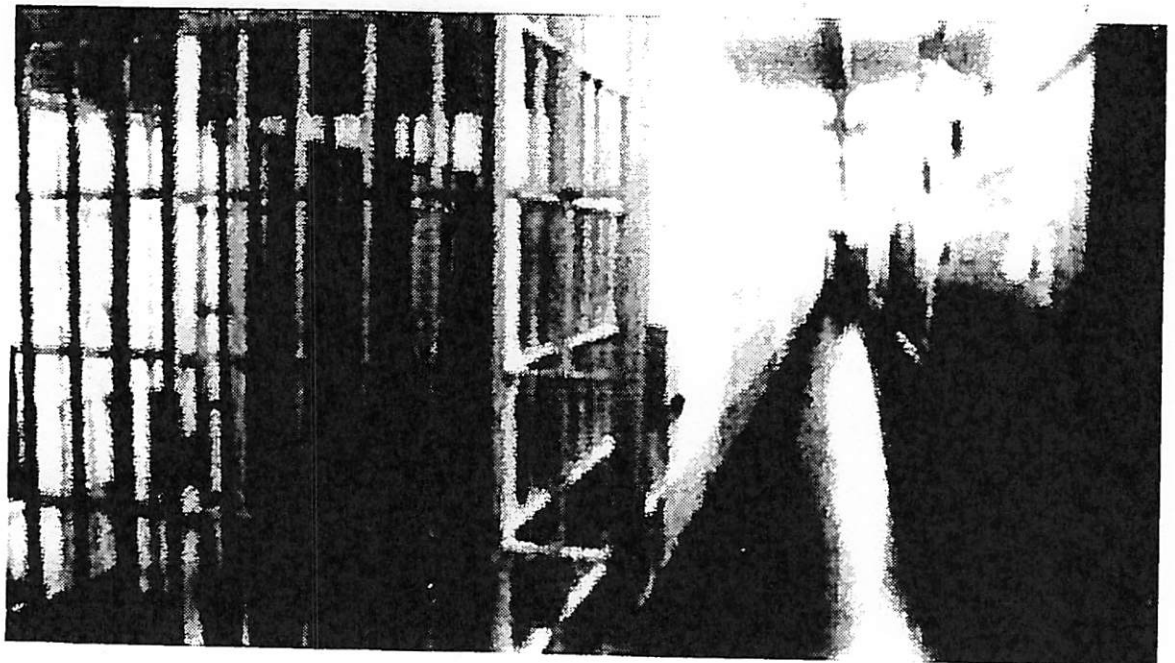
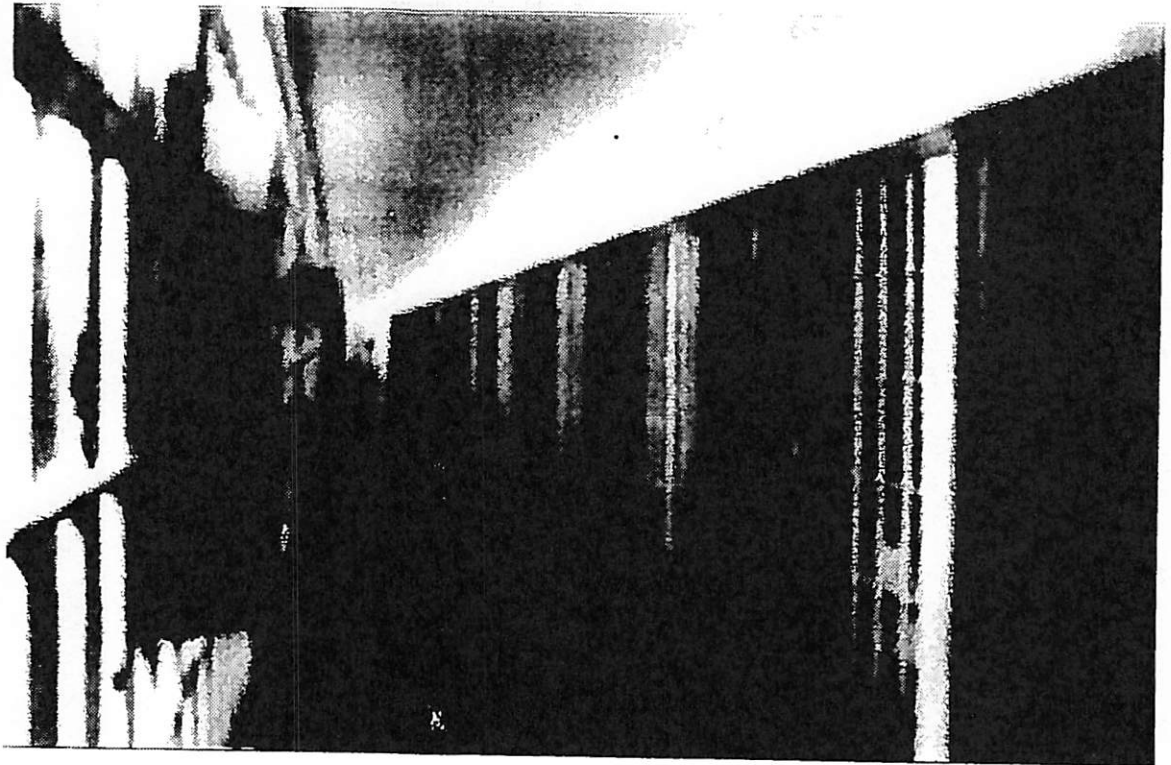
Erie County District Attorney John J. Flynn decided to seek the indictment after City Court Judge Joseph Fiorella dismissed one of the original charges — official misconduct.

"The official misconduct charge relates to Officer Hassett falsifying the circumstances of the incident," Flynn said.

exhibit 7



okl. 5/11 8





06/15/19



U.S. District Judge

exhibit 11

Michael Telesca, known for common-man's touch in court, dies at age 90



Judge Michael A. Telesca, seen here in 1995, is retiring in May.

JAMIE GERMANO/ROCHESTER DEMOCRAT AND
CHRONICLE

exhibit 1a

psychiatrist XYZ Buffalo Psychiatric Center
400 Forest Ave
Buffalo NY 14213
716.885.2261

previous lawsuits

14-cv-533 (S) Western district of New York
July 1, 2014 Dismissed

14-cv-570 (A) Western district of New York
July 15, 2014 Dismissed

14-cv-621 (S) Western district of New York
August 1, 2014 Dismissed

August 27, 2014 Office of Attorney General Buffalo NY



Maeve E. Huggins

Monday

To: B Jones Cc: Jaime a diaz oneill >

Diaz O'Neill v Macy: Mediation

Good morning,

Mr. O'Neill contacted my office at the end of last week and I just spoke with him on the phone now. He inquired what the City's offer was and generally discussed what he believes to be his proof that he would like to present to a jury. I advised that presently I did not have an offer to convey but that mandatory mediation sessions were previously scheduled. Mr. O'Neill advised that his call back phone number is 787-447-2424. Thank you.

Maeve E. Huggins
Assistant Corporation Counsel
City of Buffalo Law Department
65 Niagara Square, 1112 City Hall
Buffalo, New York 14202
Phone: (716) 851-4317
Fax: (716) 851-4105
E-Mail: mhuggins@city-buffalo.com

13



Jaime A Diaz Oneill

3:02 PM

To: Maeve Cc: B Jones >

14

Re: Diaz O'Neill v Macy: Mediation

El Sr. vilardo , la Sra. Foschio, la Sra. B Jones son personas recusadas véase el récord 19-cv-1336 es decir no participan ya más del proceso, el Sr. Jaime a diaz oneill no tiene que mediar absolutamente nada mucho menos ningún delito criminal cometido por funcionarios corruptos electos mediante el voto y no electos de la ciudad de Buffalo y el estado de New York, yo no tengo que mediar aquí nada usted dirige corrupción e impunidad en la policía corrupta de la ciudad de New York !

Ustedes se prestaron de testaferros, asume tu responsabilidad ! Este caso es para trasladarlo fuera de Buffalo y para verlo en juicio ante jurado ! Jaime a diaz oneill

FOMBPR || Press Release ||

30th Public Board Meeting



15

[View this email in your browser](#)



September 15, 2021

News from the Oversight Board

Press Release: Oversight Board to Hold its 30th Public Meeting

The Financial Oversight and Management Board for Puerto Rico will hold its 30th Public Board Meeting on Friday, September 17, 2021. The meeting will take place at the Puerto Rico Convention Center, Room 209, beginning at 9:00 a.m. AST.



Junta de Supervisión Fiscal insiste en recortar pensiones

👤 Julio Rivera Saniel

🕒 hace 31 minutos

Exhibit 19



EN SAN JUAN

NotiCentro
wapa.tv

► **JUNTA BUSCA REDUCIR LA DEUDA**



Junta de Supervisión Fiscal insiste en recortar pensiones

👤 **Julio Rivera Saníel**

🕒 **hace 31 minutos**

exhibit 17



Junta de Supervisión Fiscal insiste en recortar pensiones

👤 Julio Rivera Sanieel

🕒 hace 31 minutos

2011/11/18



Junta de Supervisión Fiscal insiste en recortar pensiones

👤 Julio Rivera Sanieel

🕒 hace 31 minutos

Exhibit 19

United States District Court
Western District of New York

06/11/57 20

James A. Gray (Deil)

v.

19-cv-1336

- Byron Brown in their individual capacities
- David Rodriguez in their individual capacities
- XYZ Manager Office Marine drive apartments in their individual capacities
- Police Officer XYZ Ross Buffalo police
- Police Officer William Macf Buffalo police
- Police Officer XYZ Buffalo police
- Deputies x, y, z Erie County Holding center
- Psychologist XYZ forensic department Erie County Holding center in their individual capacities
- Psychiatrist XYZ forensic department Erie County Holding center in their individual capacities
- Public defender XYZ in their individual capacities
- Police Officer XYZ Buffalo police 15 Sept 18
- Psychologist XYZ Buffalo psychiatric center in their individual capacities
- Psychiatrist XYZ Buffalo psychiatric center in their individual capacities

The Honorable District Court of Southern District of New York
Has jurisdiction to understand in cases under 42 USC 1983
Constitutional rights Has jurisdiction to understand in

19cv-1336

EXH 15.7 21

Amended Complaint

1. That on September 1, 1993 Mr. James. Diagonelli begins to work for the Puerto Rico Aqueduct and Sewer Authority in the position of operational system worker.
2. That on January 23, 2003 Mr. James. Diagonelli is appointed to the position of clerk Telephone Center 1 in the Puerto Rico Aqueduct and Sewer Authority.
3. That reaches those roles and duties after having held 8 previous union positions without any indication as a public employee in said government corporation with a clean record in Human Resources personnel file.
4. That the first day of work in that new area or department began the problems for Mr. James. Diagonelli has been assigned a work schedule that does not exist in the government of Puerto Rico or any of its agencies and/or public corporations.
5. That the working hours from Wednesday to Sunday from 8:00 AM to 4:30 PM did not exist in the place nor among the 45 representatives who work there, none of the representatives who work there had a background of experience for the attention to the public in functions and

ekll. 57 22

psychiatrist XYZ Buffalo Psychiatric Center
400 Forest Ave
Buffalo NY 14213
716.885.2241

Previous lawsuits

14-cv-533 (S) Western District of New York
July 1, 2014 Dismissed

14-cv-570 (A) Western District of New York
July 15, 2014 Dismissed

14-cv-621 (S) Western District of New York
August 1, 2014 Dismissed

August 27, 2014 Office of Attorney General Buffalo NY

Exh. 5:1 23

for all of which

The Honorable Court is Requested To issue a
Judgment granting Mr. Jaime A. Diaz Onell
\$200.000.000.00 Millions dollars in, Moral damages,
punitive damages, property or material damages, emergent
damage, loss of profit damages, any other damage that
apply in accordance with the facts.

Respectfully Submitted,

Today 11 of May of 2020

Jaime A. Diaz Onell

P.O. Box 190124
Miami Beach Fl. 33119

787-447-2424

Jaimeadiazonell@gmail.com



GOBIERNO DE PUERTO RICO
Departamento de Corrección y Rehabilitación

AC-PIP-12.3
"(Rev.02-10)"



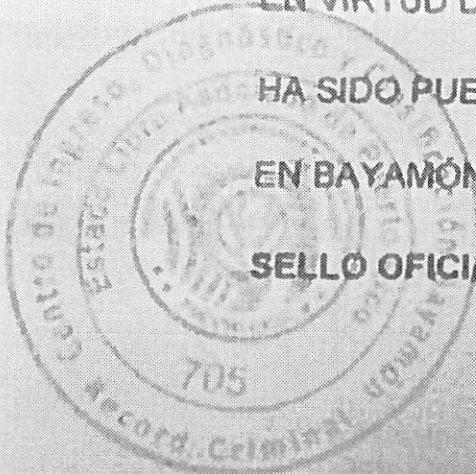
CERTIFICACION DE LIBERTAD

EN VIRTUD DE Orden del Tribunal (Resla) ^{R247-A}

HA SIDO PUESTO EN LIBERTAD Jaime A. Diaz O'Neill

EN BAYAMÓN, PUERTO RICO HOY 23 de septiembre de 2021

SELLO OFICIAL:



E. Patale
FIRMA TECNICO RECORD

[Signature]
SUPERINTENDENTE O REPRESENTANTE
CENTRO INGRESO Y CLASIFICACION CORRECCIONAL
BAYAMÓN 705

OK 11/5/21
[Signature]

08/11/21 25

EL PUEBLO DE PUERTO RICO

VS.

JAIIME A. DÍAZ O'NEILL
ACUSADO

CRIM NÚM.: K MG2017M0183-0184,
KFJ2017M0146

SOBRE:

ART. 241 C C.P. (2CS),
DESACATO CRIMINAL

Fecha y Lugar de los hechos:
16 de mayo de 2017 en San Juan
10 de noviembre de 2017 en San Juan

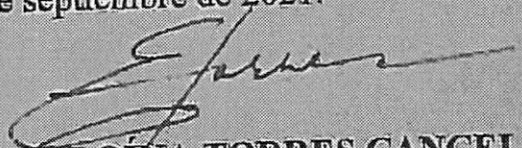
SENTENCIA

Hoy, 21 de septiembre de 2021 señalados los casos de epígrafe para Vista Sobre el Estado de los Procedimientos y Vista de Desacato Criminal, compareció el Pueblo de Puerto Rico representado por su Fiscal, Marisol Flores Cortés. No compareció el acusado ni representación legal.

El Tribunal, luego de escuchados los planteamientos expuestos en corte abierta, ordena el archivo y sobreseimiento de los casos KMG2017M0183 y 0184 bajo las disposiciones de la Regla 247-A de las de Procedimiento Criminal y el caso KFJ2017M0146 bajo las disposiciones de la Regla 247-B de las de Procedimiento Criminal. Se ordena la excarcelación del acusado por los casos de epígrafe.

REGÍSTRESE Y NOTIFIQUESE.

En San Juan, Puerto Rico, a 21 de septiembre de 2021.


ELOÍNA TORRES CANCEL
JUEZ SUPERIOR

26

IF YOUR CLAIM IS LISTED HERE, ONE OR MORE OF THE DEBTORS ARE SEEKING TO DISALLOW YOUR CLAIM FOR THE REASON LISTED BELOW.

NAME	CLAIM #	DATE FILED	DEBTOR	ASSERTED CLAIM AMOUNT
Diaz Oneill, Jaime A	178966	12/17/2020	Commonwealth of Puerto Rico	\$100,000,000.00
Reason:	Liabilities asserted on Claim to be Disallowed are duplicative of liabilities asserted on Remaining Claim.			

SI SU RECLAMO ESTÁ INCLUIDO AQUÍ, UNO O MÁS DE LOS DEUDORES SOLICITAN QUE SU RECLAMO SEA RECHAZADO POR LA RAZÓN INDICADA AQUÍ ABAJO.

NOMBRE	N.º DE RECLAMACIÓN	FECHA DE PRESENTACIÓN	DEUDOR	MONTO DE LA RECLAMACIÓN ALEGADA
Diaz Oneill, Jaime A	178966	12/17/2020	Commonwealth of Puerto Rico	\$100,000,000.00
Base para:	Las obligaciones invocadas en el Reclamo que han de desestimarse son duplicados de responsabilidades formuladas en el Reclamo Remanente.			

Copies of the Omnibus Objection and all other filings in the Title III Cases are available free online at <https://cases.primeclerk.com/puertorico>. If you have questions, please contact Prime Clerk LLC at (844) 822-9231 (toll free for U.S. and Puerto Rico) or (646) 486-7944 (for international callers), available 10:00 a.m. to 7:00 p.m. (Atlantic Standard Time) (Spanish available).

Copias de la Objeción global, y todos los escritos radicados en el marco de las causas conforme al Título III, están disponibles, de manera gratuita, en <https://cases.primeclerk.com/puertorico>. Si tiene alguna pregunta, comuníquese con Prime Clerk LLC llamando al (844) 822-9231 (número gratuito para Estados Unidos y Puerto Rico) o (646) 486-7944 (para llamadas desde el extranjero), disponible entre las 10:00 a.m. y las 07:00 p.m. (AST) (hablamos español).